

WILEY REIN LLP
1776 K Street NW
Washington, DC 20006
(202) 719-7000

FILED
JUL 29/08

RIVKIN RADLER LLP
21 Main Street, Suite 158
Court Plaza South-West Wing
Hackensack, NJ 07601-7021
(201) 287-2470
*Attorneys for Defendant Houston
Casualty Company*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLIN EQUITIES CORP.,

Plaintiff,

v.

HOUSTON CASUALTY CO.,

Defendant.

Civil Action No.: 1:05-cv-09508
(LAP)

NOTICE OF MOTION TO
ADMIT MARC RINDNER, ESQ.
PRO HAC VICE PURSUANT TO
L.CIV.R. 1.3(c)

FILED
JUL 29/08
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

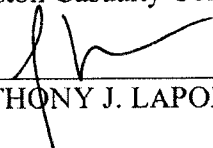
PLEASE TAKE NOTICE that on at a time and on a date set by the Court, Defendant Houston Casualty Company shall move before the United States District Court for the Southern District of New York located at US Courthouse, 500 Pearl Street, New York, New York, for the pro hac vice admission of Marc Rindner, Esq. in the within proceedings pursuant to L.Civ. R. 1.3(c). Houston Casualty Company shall rely on the Certification of Anthony J. LaPorta, Esq., the Affidavit of Marc Rindner, Esq. and current Certificates of Good Standing from the District of Columbia Court of Appeals and the Court of Appeals of Maryland in support of its motion.

A proposed order is enclosed.

Dated: May 27, 2008

RIVKIN RADLER LLP
Attorneys for Defendant
Houston Casualty Company

BY:



ANTHONY J. LAPORTA

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**CERTIFICATION OF
ANTHONY J. LAPORTA, ESQ.**

ANTHONY J. LAPORTA, of full age, hereby certifies:

1. I am an attorney licensed to practice law before the Courts of the State of New York, including the United States District Court for the Southern District of New York. I am a member of the law firm of Rivkin Radler LLP, attorneys for Defendant Houston Casualty Company ("Houston Casualty"). I make this Certification in support of Houston Casualty's application to admit Marc Rindner, Esq. pro hac vice.

2. We have been retained as local counsel for Houston Casualty to represent its interest in the within proceedings. According to the Affidavit of Marc Rindner, Esq., WILEY REIN LLP is experienced in handling complex insurance coverage questions and has been

requested by Houston Casualty to represent it in this matter. Marc Rindner, Esq. is a member of the firm WILEY REIN LLP and has been assigned to work on this case.

3. Should this Court grant the application to admit Marc Rindner, Esq. pro hac vice, I shall coordinate his participation in these proceedings and guide him in the adherence to the local rules of practice and procedure, including disciplinary rules, and shall make arrangements for the payment of the appropriate pro hac vice admission fee.

4. We respectfully request that this Court, pursuant to Local Civil Rule 1.3(c), grant Houston Casualty's application and admit Marc Rindner, Esq. pro hac vice to represent and defend Houston Casualty in this matter.

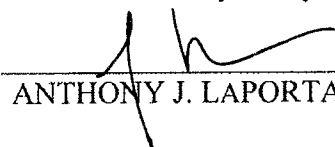
5. No brief is submitted in support of this motion, since it does not raise any issues of law.

6. I certify that the foregoing statements made by me are true, and that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 27, 2008

RIVKIN RADLER LLP
Attorneys for Defendant
Houston Casualty Company

BY:



ANTHONY J. LAPORTA

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**AFFIDAVIT OF
MARC RINDNER**

MARC RINDNER, hereby makes the following statements under penalty of perjury:


1. I am a partner of the law firm of Wiley Rein LLP, attorneys for Defendant, Houston Casualty Company, and am fully aware with the facts of the instant action from documents and records contained in our office file, and upon information and belief. I make this Affidavit in support of Houston Casualty Company's application for my Pro Hac Vice admission in this case.

2. I am an attorney in good standing and admitted to practice law in the District of Columbia and the State of Maryland. Attached hereto as **Exhibit 1** is a current Certificate of

Good Standing from the District of Columbia Court of Appeals and the Court of Appeals of Maryland.

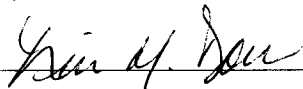
3. I have never been suspended from practice nor subject to any disciplinary proceedings by any of the Courts to which I have been admitted to practice. There is good cause for my admission Pro Hac Vice to represent Houston Casualty Company in this matter. This matter involves complex insurance coverage questions on which our practice has focused and concentrated for many years. Houston Casualty Company requests that I be involved in the representation of its interests in the instance matter, and I believe that my admission Pro Hac Vice will materially assist in the efficient and effective representation of Houston Casualty Company.

4. As conditions of my admission Pro Hac Vice, I agree to: (a) notify this Court immediately of any matter affecting my standing in the Bars of the District of Columbia and Maryland or any other Court to which I am admitted; (b) familiarize myself with and abide by the applicable Local Rules of Court; and (c) have all pleadings, briefs, and other papers filed with the Court signed by an attorney of record admitted to practice law before the United States District Court for the Southern District of New York.

By: 

Marc Rindner

Sworn and subscribed to before me
this 21st day of May, 2008.



Notary Public

My Commission expires 6-14-10

Exhibit 1



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARC E. RINDNER

was on the 16TH day of DECEMBER, 1998

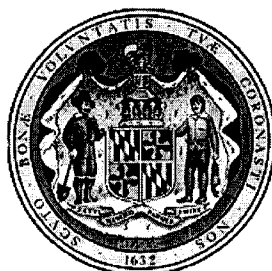
duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on May 14, 2008.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*
Deputy Clerk

**Court of Appeals
of Maryland**
Annapolis, MD



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the eighteenth day of December, 1997,*

Marc Evan Rindner

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

In Testimony Whereof, *I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
nineteenth day of May, 2008.*

Bessie M. Decker

Clerk of the Court of Appeals of Maryland

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CERTIFICATION OF SERVICE

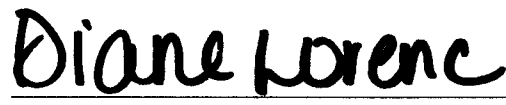
STATE OF NEW JERSEY)
) ss.:
COUNTY OF BERGEN

DIANE LORENC, being duly sworn, deposes and says that she is a secretary of the firm of RIVKIN RADLER LLP, Attorneys for Defendant Houston Casualty Company, that she is over the age of eighteen (18) years and that he is not a party to the within action.

On the 28th day of May, 2008, she served a copy of the within Certification of Service, Notice of Motion to Admit Marc Rindner, Esq. Pro Hac Vice pursuant to L. Civ. R. 1.3(c); Affidavit of Good Standing for Marc Rindner, Esq. with Certificates of Good Standing; Certification of Anthony J. LaPorta in Support of Defendant Houston Casualty Company's

Application to Admit Marc Rindner, Esq. Pro Hac Vice and Affidavit of Marc Rindner via First Class Mail and Facsimile to:

R. Mark Keenan
Craig M. Hirsch
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
New York, NY 10020-1182
Attorneys for Plaintiff



DIANE LORENC

WILEY REIN LLP

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ORDER

THIS MATTER, having been opened to the Court upon the application of Rivkin Radler LLP, attorneys for Defendant Houston Casualty Company ("Houston Casualty"), for entry of an Order pursuant to L. Civ. R. 1.3(c) admitting Marc Rindner, Esq. pro hac vice in the within proceedings on behalf of Houston Casualty, and the Court having considered the matter, the submission of counsel, and good cause having been shown:

IT IS on this ____ day of _____, 2008:

ORDERED that Houston Casualty Company's application to admit Marc Rindner, Esq. Pro Hac Vice for the limited purpose of representing Houston Casualty Company's interests in this matter is hereby granted; and

IT IS FURTHER ORDERED, that Marc Rindner, Esq. shall appoint the members of the law firm of Rivkin Radler LLP as his agent upon whom service of process may be made for all actions against him or his firm as may arise out of his participation in this matter; and

IT IS FURTHER ORDERED, that Marc Rindner, Esq. shall notify this Court immediately of any matter affecting his standing at the Bar of any other court; and

IT IS FURTHER ORDERED, that Marc Rindner, Esq. shall have pleadings, briefs, and other papers filed with this Court reviewed and signed by an attorney of record authorized to practice in this state, who shall be held responsible for him and the conduct of the within cause; and

IT IS FURTHER ORDERED, that counsel for Houston Casualty shall serve a copy of this Order on all Counsel of Record within seven (7) days of their receipt hereof.

Honorable Loretta A. Preska, U.S.D.J.